UNITED NATIONS

DIVISION FOR PALESTINIAN RIGHTS

March/April 1999

Volume XXII, Bulletin No. 2

Contents

Page

I. United Nations African Meeting in Support of the Inalienable Rights of the Palestinian People 1

II. Commission on the Status of Women reviews report; adopts resolution on Palestinian women 4

III. Human Rights Commission take up items relating to the question of Palestine; adopts four resolutions..... 6

IV. European Union issues statement on the Middle East peace process.....12

99-23510

This bulletin, and back issues,
can be found in the Lotus Notes-based
United Nations Information System
on the Question of Palestine (UNISPAL) at:
http://www.un.org/Depts/dpa/qpal/pub_bltn.htm, *as well as*
on the Internet (http://www.un.org/Depts/dpa/qpal/).

I. UNITED NATIONS AFRICAN MEETING IN SUPPORT OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE

The United Nations African Meeting in Support of the Inalienable Rights of the Palestinian People was held under the auspices of the Committee on the Exercise of the Inalienable Rights of the Palestinian People in Windhoek from 20 to 22 April 1998 and in accordance with the provisions of General Assembly resolutions 53/39 and 53/40 of 2 December 1998.

The Committee was represented by a delegation comprising Mr. Ibra Deguène Ka (Senegal), Chairman and head of delegation; Mr. Ravan A.G. Farhadi (Afghanistan), Vice-Chairman; Mr. George Saliba (Malta), Rapporteur; Mr. Martin Andjaba (Namibia), Acting Vice-Chairman; and Mr. Nasser Al-Kidwa (Palestine).

The meeting was attended by representatives of 28 Governments, 2 intergovernmental organizations, 5 United Nations bodies and agencies, 5 non-governmental organizations, as well as special guests of the host country, representatives of the media, of universities and institutes. It was also attended by a delegation of Palestine. Presentations were made by 23 experts from Africa and other regions including Palestinians and Israelis.

At the opening session, a statement was made by Mr. Theo-Ben Gurirab, Minister for Foreign Affairs of Namibia. A statement on behalf of the Secretary-General of the United Nations was read out by his representative, Mr. Chinmaya Gharekhan, Under-Secretary-General and United Nations Special Coordinator in the Occupied Territories. Statements were made by Mr. Ibra Deguène Ka, Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People; and Mr. Suleiman An-Najab, Member of the Executive Committee of the Palestine Liberation Organization (PLO).

Three plenary sessions were conducted, with the participation of the following speakers:

I. Promoting the inalienable rights of the Palestinian people: Mr. Suleiman An-Najab, Member of the Executive Committee of the PLO, Special Envoy of Yasser Arafat, Chairman of the Executive Committee of the PLO; Mr. Latif Dori, Secretary of the Committee for Israeli-Palestinian Dialogue; Mr. Ibrahim Matar, Palestinian economist and former Chairman of the Department of Business and Economics of Bethlehem University; Mr. Gershon Baskin, Director, Israel/Palestine Center for Research and Information; Ms. Elizabeth Sidiropoulos, Director of Studies, South African Institute of International Affairs; Mr. Badr Hammam, Ambassador and former Advisor to the Foreign Minister of Egypt; and Mr. John Battersby, Chief Editor of the Sunday Independent (South Africa).

II. The role of Africa in supporting the inalienable rights of the Palestinian people: Mr. Othman Jerandi, Director for Africa, Department of Foreign Affairs of Tunisia; Ms. Sohoyata Maiga, Lawyer and Member of the Council on Economic, Social and Cultural Affairs of Mali; Mr. Amadou Kebe, Ambassador, Permanent Observer of the Organization of African Unity to the United Nations; Ms. Ceciwa Khonje, former Director of the United Nations Information Centre in Harare; Mr. Iqbal Jhazbhay, Director of the Centre for Arabic and Islamic Studies of the University of Africa; Mr. Nahas Angula, M.P., Minister of Higher Education, Vocational Training, Science and Technology of the Government of Namibia, Ms. Netumbo Nandi-Ndaitwah, Director-General of the Department of Women's Affairs of Namibia; Mr. Julien Randiamasivelo, Head of the African Section, Afro-Asian People's Solidarity Organization; Mr. Umar Birai, Professor, Department of Political Science and International Relations, University of Abuja, Nigeria; Mr. Nwasha Masiwa, Editor, Southen African Political Economic Monthly (SAPEM), Zimbabwe; Mr. Stephen Laufer, Editor, Business Day, South Africa, Ms. Nahla Asali, Professor of English Literature, Birzeit University; Ms. Ottilie Abrahams, Chairperson,

Namibia Non-governmental Organizations Forum (NANGOF); and Mr. Abdul Samad Minty, Deputy Director-General of Multilateral Affairs, Department of Foreign Affairs of South Africa, on behalf of the Movement of Non-Aligned Countries.

III. *Celebrating the new millennium in a global vision of peace and reconciliation -- the Bethlehem 2000 Project of the Palestinian Authority: Mr. Nabeel Kassis, Minister and Coordinator-General of the Bethlehem 2000 Project Authority; and Ms. N. E. Kathindi, representative of the Council of Churches in Namibia.*

The final document of the Meeting summarized the proceedings as follows:

The Windhoek Declaration

1. The United Nations African Meeting in Support of the Inalienable Rights of the Palestinian People was held at Windhoek, Namibia, from 20 to 22 April 1999, under the auspices of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. Participants in the Meeting included eminent political personalities from Africa, representatives of Governments, intergovernmental organizations, United Nations system organizations and agencies, the Palestinian Authority, parliamentarians, non-governmental organizations and representatives of the media.

2. The Secretary-General of the United Nations sent a message addressed to the participants in the Meeting.

3. The Meeting took place at a time when the peace process, nearing the end of the interim period, remained deadlocked due to the freezing by the Government of Israel of the implementation of the Wye River Memorandum of October 1998. The Meeting was aimed at drawing the attention of the international community to the continuing lack of progress in the peace process, to the unjust and untenable situation faced by the Palestinian people, and to the dangers posed by the policies and practices of Israel in the Occupied Palestinian Territory, including East Jerusalem. The Meeting also considered the action by and responsibility of the international community in the implementation of the Fourth Geneva Convention and the role, in that regard, of the High Contracting Parties to the Convention. The Meeting focused on the role of African States in supporting the inalienable rights of the Palestinian people, and on discussing the international community's action in promoting the Bethlehem 2000 Project of the Palestinian Authority.

4. The participants discussed in great detail the issue of land confiscation by the Israeli authorities, the establishment of new and expansion of the existing settlements throughout the Occupied Palestinian Territory, including East Jerusalem, the Israeli decision to create an "umbrella municipality" in the city and the illegal policy of "silent transfer" of Palestinian residents of Jerusalem from their homes in the city. In this context, the participants welcomed the adoption by the Tenth Emergency Special Session of the General Assembly of resolution ES-10/6 of 9 February 1999 calling for the convening, on 15 July 1999, of a conference on measures to enforce the Fourth Geneva Convention in the Occupied Palestinian Territory. The participants also called upon all Governments, organizations, and individuals, as well as the international business community to refrain from rendering any form of financial, technical or other assistance to Israel that could be utilized towards its settlement activities. In discussing the issue of Israeli policies and practices in the Occupied Palestinian Territory, the participants expressed grave concern at the continued imprisonment of Palestinians in Israel in violation of the Fourth Geneva Convention and the Israeli-Palestinian agreements signed to date.

5. The participants considered the role of Africa in promoting a comprehensive, just and lasting settlement of the question of Palestine. The Meeting showed broad support by African

States for the exercise by the Palestinian people of its inalienable rights, including the right to self-determination and the establishment of the State. The participants emphasized that this remained a key element for the successful settlement of the Arab-Israeli conflict, the core of which is the question of Palestine. The Meeting also demonstrated the determination of African States to contribute to the international efforts towards restarting the peace process in order to allow the parties to proceed to the crucial stage of the permanent status negotiations. In this context, the participants reviewed action taken by African States at various levels, including within the United Nations system, the Organization of African Unity and the Non-Aligned Movement.

6. The participants exchanged views on the experience of African States in the struggle for decolonization, independence and sovereignty, as well as the experience of Africa in the quest for economic independence and sustainable development. They also discussed prospects for the promotion of bilateral economic cooperation and trade, as well as the establishment of business partnerships with the Palestinian counterparts. The participants recognized the important role played by civil society in the process of institution-building. Special emphasis was laid on the need to enhance and promote the role of women in society.

7. The participants recognized the significance and the implications of the impending end, on 4 May 1999, of the interim period and the possible steps to be taken by the various parties in that regard. In view of a serious legal and political vacuum that the end of the interim period will entail, a broad and determined international action will be required in order to allow the Palestinian people to exercise its inalienable right to self-determination and statehood.

8. The participants welcomed the important work done by the Palestinian Authority on the various aspects of the Bethlehem 2000 Project. They stressed that, as the millennial celebrations of the birth of Jesus Christ in Bethlehem approached, there was an urgent need for the rehabilitation and reconstruction of the Palestinian city of Bethlehem. Encouraged by the assistance of the international donor community in rebuilding the Palestinian economy, the participants thanked the Governments, intergovernmental and non-governmental organizations, as well as the private sector for their support of the Bethlehem 2000 Project. They also recognized the important role played by the United Nations Development Programme, the United Nations Educational, Scientific and Cultural Organization, the World Bank and other United Nations system entities in ensuring the success of the Project.

9. The participants noted the important role played by the Committee on the Exercise of the Inalienable Rights of the Palestinian People in supporting the Bethlehem 2000 Project through its programme of activities. They also took note of the Committee's effort to promote the Bethlehem 2000 Project at the United Nations. The participants welcomed the fact that, at the request of the Committee, an item entitled "Bethlehem 2000" had been included in the agenda of the fifty-third session of the United Nations General Assembly. It was also included in the agenda of the Assembly's fifty-fourth session. Last February in Rome, the Committee held a highly successful Conference in support of this Palestinian initiative, hosted by the Italian Government.

10. In connection with the Meeting, the Chairman of the Committee, Ibra Deguène Ka, and the delegation of the Committee on the Exercise of the Inalienable Rights of the Palestinian People had the honour and privilege of being received by His Excellency Dr. Sam Nujoma, President of the Republic of Namibia, who welcomed the efforts of the Committee aimed at bringing about a comprehensive, just and lasting settlement of the question of Palestine.

11. The Chairman of the Committee, Ibra Deguène Ka, and the delegation of the Committee on the Exercise of the Inalienable Rights of the Palestinian People also had the honour of being received by The Right Honourable Hage Geingob, Prime Minister of

Namibia, who stressed the importance of the work done by the Committee in pursuit of peace in the Middle East.

12. In the course of the Meeting, the Chairman and members of the Committee delegation were also received by The Honourable Theo-Ben Gurirab, Minister for Foreign Affairs of Namibia, who encouraged the Committee to continue its important activities aimed at enabling the Palestinian people to exercise its inalienable rights.

13. The participants expressed their deep gratitude to Dr. Sam Nujoma, President of the Republic of Namibia, The Right Honourable Hage Geingob, Prime Minister of Namibia, The Honourable Mosé Tjitendero, President of the National Assembly, and The Honourable Theo-Ben Gurirab, Minister for Foreign Affairs of Namibia, and to the Government of Namibia for hosting the Meeting and for the assistance and support extended to the United Nations Secretariat in its preparation.

Windhoek, 22 April 1999

While in Windhoek, the Committee delegation also held meetings with Namibia President Sam Nujoma as well as Prime Minister Hage Geingob.

II. COMMISSION ON THE STATUS OF WOMEN REVIEWS REPORT; ADOPTS RESOLUTION ON PALESTINIAN WOMEN

At its forty-third session, held in New York from 1 to 12 March 1999, the Commission on the Status of Women considered the report of the Secretary-General on the situation of and assistance to Palestinian women submitted pursuant to Economic and Social Council resolution 1998/10 (see E/CN.6/1999/2 and Add.1).

On 12 March 1999, the Commission on the Status of Women adopted, by 33 votes to 1, with 4 abstentions, a draft resolution entitled "Palestinian women", which it recommended to the Economic and Social Council for adoption, and which read:

Palestinian women

The Economic and Social Council,

Having considered with appreciation the section concerning the situation of Palestinian women and assistance provided by organizations of the United Nations system of the report of the Secretary-General on follow-up to and implementation of the Beijing Declaration and Platform for Action,[1]

Recalling the Nairobi Forward-looking Strategies for the Advancement of Women,[2] in particular paragraph 260 concerning Palestinian women and children, and the Beijing Platform for Action[3] adopted at the Fourth World Conference on Women,

---

[1] E/CN.6/1999/2/sect. IV.A.

[2] *Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15 to 26 July 1985* (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

[3] *Report of the Fourth World Conference on Women, Beijing, 4 to 15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution I, annex II.

Recalling also its resolution 1998/10 of 28 July 1998 and other relevant United Nations resolutions,

Recalling further the Declaration on the Elimination of Violence against Women[4] as it concerns the protection of civilian populations,

Gravely concerned at the suspension, on 20 December 1998, by the Government of Israel of the implementation of the Wye River Memorandum, signed in Washington, D.C., on 23 October 1998, including the negotiations on the final settlement, which should be concluded by May 1999,

Concerned about the continuing difficult situation of Palestinian women in the occupied Palestinian territory, including Jerusalem, and about the severe consequences of continuous illegal Israeli settlements activities, as well as the harsh economic conditions and other consequences for the situation of Palestinian women and their families, resulting from the frequent closures and isolation of the occupied territory,

1. *Stresses* its support for the Middle East peace process and the need for speedy and full implementation of the agreements already reached between the parties;

2. *Affirms* that, in spite of the actual deterioration of the Middle East peace process as a result of the lack of compliance by the Government of Israel with the existing agreements, increased efforts must be exerted to bring the peace process back on track towards the achievement of a just, comprehensive and lasting peace in the region and the achievement of tangible results towards the improvement of the situation of Palestinian women and their families;

3. *Reaffirms* that the Israeli occupation remains a major obstacle for Palestinian women with regard to their advancement, self-reliance and integration in the development planning of their society;

4. *Demands* that Israel, the occupying Power, comply fully with the provisions and principles of the Universal Declaration of Human Rights,[5] the Regulations annexed to The Hague Convention of 1907[6] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,[7] in order to protect the rights of the Palestinian women and their families;

5. *Calls upon* Israel to facilitate the return of all refugees and displaced Palestinian women and children to their homes and properties in the occupied Palestinian territory, in compliance with the relevant United Nations resolutions;

6. *Urges* Member States, financial organizations of the United Nations system, non-governmental organizations and other relevant institutions to intensify their efforts to provide financial and technical assistance to Palestinian women for the creation of projects responding to their needs, especially during the transitional period;

7. *Requests* the Commission on the Status of Women to continue to monitor and take action with regard to the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women, in particular paragraph 260 concerning Palestinian women

---

[4] General Assembly resolution 48/104.

[5] General Assembly resolution 217 A (III).

[6] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

[7] United Nations, *Treaty Series*, vol. 75, No. 973.

[*] On behalf of the States Members of the United Nations that are members of the Group of 77 and China and in accordance with rule 69 of the rules of procedure of the Economic and Social Council.

and children, and the Beijing Platform for Action;

8. *Requests* the Secretary-General to continue to review the situation and to assist Palestinian women by all available means, and to submit to the Commission on the Status of Women at its forty-fourth session a report on the progress made in the implementation of the present resolution.

III. HUMAN RIGHTS COMMISSION TAKES UP ITEMS RELATING TO THE QUESTION OF PALESTINE; ADOPTS FOUR RESOLUTIONS

The Commission on Human Rights held its fifty-fifth session in Geneva from 22 March to 30 April 1999. The Commission considered issues relating to the question of Palestine under items 5 and 8 of the agenda, entitled "Question of the violation of human rights in the occupied Arab territories, including Palestine" and "The right of peoples to self-determination and its application to peoples under colonial and alien domination or foreign occupation."

Under item 8, the Commission had before it a note by the Secretary-General listing United Nations reports issued between sessions of the Commission that deal with the living conditions of the citizens of the Palestinian and other Arab territories under the Israeli occupation (E/CN.4/1999/23) and a report by the Secretary General on human rights in the occupied Syrian Golan (E/CN.4/1999/22). The Commission also heard the report by the Special Rapporteur, Mr. Hannu Halinen, pursuant to Commission resolution 1993/2 A of 19 February 1993 (see E/CN.4/1999/24):

Under item 5, the Commission on Human Rights also had before it a report of the Secretary-General on the situation of the occupied Palestinian territories prepared pursuant to a request of the Commission, which stated that no reply from Israel had been received at the time of the preparation of the report (E/CN.4/1999/10).

On 23 and 27 April 1999, the Commission adopted four resolutions. The full texts of the resolutions are given below:

1999/5 Question of the violation of human rights in the occupied Arab territories, including Palestine

The Commission on Human Rights,

Guided by the purposes and principles of the Charter of the United Nations, as well as by the provisions of the Universal Declaration of Human Rights,

Guided also by the provisions of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

Taking into consideration the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and the provisions of Additional Protocol I thereto, and the Hague Convention IV of 1907,

Recalling the resolutions of the Security Council, the General Assembly and the Commission on Human Rights related to the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War to the Occupied Palestinian Territory, including East Jerusalem, and other occupied Arab territories,

Recalling also the General Assembly resolutions on Israeli violations of human rights in the Occupied Palestinian Territory, including East Jerusalem, occupied since 1967,

Recalling further General Assembly resolutions ES-10/3, ES-10/4, ES-10/5 and ES-10/6, in which the Assembly reiterated its recommendation that the High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War convene a conference on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, and to ensure its respect in accordance with the provisions of common article 1 of the four Geneva Conventions,

Recalling the provisions of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights in June 1993 (A/CONF.157/23),

Taking note of the report (E/CN.4/1999/24) of the Special Rapporteur, Mr. Hannu Halinen, regarding his mission undertaken in accordance with Commission resolution 1993/2 A of 19 February 1993,

Taking note also of the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories submitted to the General Assembly since 1968, including the latest (A/53/136 of 3 June 1998 and A/53/136/Add.1 of 10 November 1998),

Noting with great concern the continued Israeli refusal to abide by the resolutions of the Security Council, the General Assembly and the Commission on Human Rights calling upon Israel to put an end to the violations of human rights and affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Gravely concerned at the stagnation of the peace process because of the contempt of the Government of Israel for the principles on which that process was based, and its refusal to carry out its commitments in line with the agreements it signed with the Palestine Liberation Organization in Washington, Cairo, Hebron and Wye River,

Recalling all its previous resolutions on the subject, including the latest resolution 1998/1 of 27 March 1998,

1. Condemns the continued violations of human rights in the Occupied Palestinian Territory, including East Jerusalem, in particular the continuation of acts of wounding and killing perpetrated by Israeli soldiers and settlers against Palestinians, in addition to the detention of thousands of Palestinians without trial, the continuation of the confiscation of Palestinian lands, the extension and the establishment of Israeli settlements thereon, the confiscation of Palestinian property and expropriation of their land, the demolition of Palestinian homes and the uprooting of fruit trees, and calls upon Israel to cease these acts immediately since they constitute grave violations of human rights and of the principles of international law and they also constitute a major obstacle in the way of the peace process;

2. Also condemns the expropriation of Palestinian homes in Al-Amoud district in Jerusalem, the revocation of identity cards of the citizens of the Palestinian city of Jerusalem and forcing them to live outside their homes with the aim of the Judaization of Jerusalem, and calls upon the Government of Israel to put an end immediately to these practices;

3. Further condemns the use of torture against Palestinians during interrogation, which the Israeli High Court of Justice had legitimized, and calls upon the Government of Israel to refrain immediately from the current interrogation practices and to work on abolishing the above-mentioned legitimization;

4. Reaffirms that all the Israeli settlements in the Palestinian territory occupied since 1967, including East Jerusalem, are illegal, constitute a flagrant violation of the provisions of the fourth Geneva Convention of 1949 and of the principles of international law, and should be dismantled in order to achieve a just, permanent and comprehensive peace in the region of the Middle East;

5. Also reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War is applicable to the Palestinian territory and other Arab territories occupied by Israel since 1967, including East Jerusalem, and considers any change in the geographical and demographic status of the city of East Jerusalem from its situation prior to the June 1967 war to be illegal and void;

6. Further reaffirms the great importance of the convening of a conference by the High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, in accordance with General Assembly resolutions ES-10/3, ES-10/4, ES-10/5 and ES-10/6;

7. Calls upon Israel to cease immediately its policy of enforcing collective punishments, such as demolition of houses and closure of the Palestinian territory, measures which constitute flagrant violations of international law and international humanitarian law, endanger the lives of Palestinians and also constitute a major obstacle in the way of peace;

8. Calls once more upon Israel, the occupying Power, to desist from all forms of violation of human rights in the Occupied Palestinian Territory, including East Jerusalem, and other occupied Arab territories, and to respect the bases of international law, the principles of international humanitarian law, its international commitments and the agreements it signed with the Palestine Liberation Organization;

9. Also calls upon Israel to withdraw from the Palestinian territory, including East Jerusalem, and the other Arab territories occupied since 1967, in accordance with the relevant resolutions of the United Nations and the Commission on Human Rights;

10. Requests the Secretary-General to bring the present resolution to the attention of the Government of Israel and all other Governments, the competent United Nations organs, the specialized agencies, regional intergovernmental organizations and international humanitarian organizations, to disseminate it on the widest possible scale and to report on its implementation by the Government of Israel to the Commission on Human Rights at its fifty-sixth session;*

11. Also requests the Secretary-General to provide the Commission on Human Rights with all United Nations reports issued between sessions of the Commission that deal with the conditions in which the citizens of the Palestinian and other occupied Arab territories are living under the Israeli occupation;

12. Decides to consider this question at its fifty-sixth session under the same agenda item 8, as a matter of high priority.

23 April 1999
Adopted by a roll-call vote of 31 to 1, with 21 abstentions

---

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

1999/6 Human rights in the occupied Syrian Golan

The Commission on Human Rights,

Deeply concerned at the suffering of the Syrian citizens in the occupied Syrian Golan due to the violation of their fundamental and human rights since the Israeli military occupation of 1967,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also all relevant General Assembly resolutions, including the latest, resolution 53/57 of 3 December 1998, in which the Assembly, inter alia, called upon Israel to comply with Security Council resolution 497 (1981), to put an end to its practices violating the rights of the Syrian citizens in the occupied Syrian Golan and to put an end to its occupation of the occupied Syrian Golan,

Reaffirming once more the illegality of Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming the principle of non-acquisition of territory by force in accordance with the Charter of the United Nations and the principles of international law,

Taking note with deep concern of the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/53/136/Add.1) and, in this connection, deploring the Israeli settlement in the occupied Arab territories and regretting Israel's constant refusal to cooperate with and to receive the Special Committee,

Guided by the relevant provisions of the Charter of the United Nations, international law and the Universal Declaration of Human Rights, and reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and the relevant provisions of the Hague Conventions of 1899 and 1907 to the occupied Syrian Golan,

Reaffirming the importance of the peace process which started in Madrid on the basis of Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973 and 425 (1978) of 19 March 1978 and the principle of land for peace, which aims at the establishment of a just and comprehensive peace in the Middle East,

Expressing its concern about the stoppage of the peace process on the Syrian and Lebanese tracks, and hoping that the commitments and guarantees reached during the previous talks will be respected in order that the talks may resume as soon as possible on both tracks,

Reaffirming its previous relevant resolutions, the most recent being resolution 1998/2 of 27 March 1998,

1. Calls upon Israel, the occupying Power, to comply with the relevant resolutions of the General Assembly and of the Security Council, particularly resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan is null and void and without international legal effect, and demanded that Israel should rescind forthwith its decision;

2. Also calls upon Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan, and emphasizes that the displaced persons of the population of the occupied Syrian Golan must be allowed to return to their homes and to recover their properties;

3. Further calls upon Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan and to desist from its repressive measures against them, and from all other practices mentioned in the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories;

4. Determines that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international

law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and have no legal effect;

5. Calls once again upon Member States not to recognize any of the legislative or administrative measures and actions referred to in the present resolution;

6. Requests the Secretary General to bring the present resolution to the attention of all Governments, the competent United Nations organs, the specialized agencies, regional intergovernmental organizations and international humanitarian organizations and to give it the widest possible publicity, and to report to the Commission on Human Rights at its fifty-sixth session;*

7. Decides to include in the provisional agenda of its fifty-sixth session, as a matter of high priority, the item entitled "Question of the violation of human rights in the occupied Arab territories, including Palestine".

23 April 1999
Adopted by a roll-call vote of 32 to 1, with 20 abstentions

---

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

1999/7 Israeli settlements in the occupied Arab territories

The Commission on Human Rights,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations and as elaborated in the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable instruments,

Mindful that Israel is a party to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which is applicable to Palestinian and all Arab territories occupied by Israel since 1967, including East Jerusalem,

Recalling its previous resolutions, most recently resolution 1998/3 of 27 March 1998, in which, inter alia, it reaffirmed the illegality of the Israeli settlements in the occupied territories,

1. Welcomes:

(a) The Wye River Memorandum of 23 October 1998 and calls for the full implementation of the Memorandum, as well as of the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip of 28 September 1995 and other related agreements;

(b) The report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 (E/CN.4/1999/24) and expresses its regret at the lack of cooperation on the part of the Government of Israel with the Special Rapporteur;

2. Expresses its grave concern:

(a) At the Israeli settlement activities and their increase since the signing of the Wye River Memorandum, including the expansion of the settlements, the installation of settlers in the occupied territories, the expropriation of land, the demolition of houses, the confiscation of property, the expulsion of local residents and the construction of bypass roads, which change the physical character and demographic composition of the occupied territories, including East Jerusalem, since they are illegal, constitute a violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and are a major obstacle to peace;

(b) At and strongly condemns all acts of terrorism, while calling upon all parties not to allow any acts of terrorism to affect the ongoing peace process negatively;

3. Urges the Government of Israel:

(a) To comply fully with the previous Commission resolutions on the subject, most recently resolution 1998/3 of 27 March 1998;

(b) To match its stated commitment to the peace process with concrete actions to fulfil its obligations and cease completely its policy of expanding the settlements and related activities in the occupied territories, including East Jerusalem;

(c) To forgo and prevent any new installation of settlers in the occupied territories;

4. Decides to continue its consideration of this question at its fifty-sixth session.

23 April 1999
Adopted by a roll-call vote of 50 to 1, with 2 abstentions

1999/55 Situation in occupied Palestine

The Commission on Human Rights,

Guided by the purposes and principles of the Charter of the United Nations, in particular the provisions of Articles 1 and 55 thereof, which affirm the right of peoples to self-determination, and scrupulous respect of the principle of refraining in international relations from the threat or use of force, as specified in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States, in accordance with the Charter of the United Nations, adopted by the General Assembly in its resolution 2625 (XXV) of 24 October 1970,

Guided also by the provisions of article 1 of the International Covenant on Economic, Social and Cultural Rights and article 1 of the International Covenant on Civil and Political Rights, which affirm that all peoples have the right of self-determination,

Guided further by the provisions of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights in June 1993 (A/CONF.157/23), and in particular Part 1, paragraphs 2 and 3, relating to the right of self-determination of all peoples and especially those subject to foreign occupation,

Recalling General Assembly resolutions 181 A and B (II) of 29 November 1947 and 194 (III) of 11 December 1948, as well as all other resolutions which confirm and define the inalienable rights of the Palestinian people, particularly their right to self-determination,

Recalling also its previous resolutions in this regard, the latest of which is its resolution 1998/4 of 27 March 1998,

Reaffirming the right of the Palestinian people to self-determination in accordance with the provisions of the Charter of the United Nations, the relevant United Nations resolutions and declarations, and the provisions of international covenants and instruments relating to the right to self-determination as an international principle and as a right of all peoples in the world, as it is a jus cogens in international law,

1. Reaffirms the continuing and unqualified Palestinian right to self-determination, including the option of a State, and looks forward to the early fulfilment of this right;

2. Requests the Secretary-General to transmit the present resolution to the Government of Israel and all other Governments, to distribute it on the widest possible scale and to make available to the Commission on Human Rights, prior to the convening of its fifty-sixth session, all information pertaining to the implementation of

the present resolution by the Government of Israel;*

3. Decides to include in the provisional agenda of its fifty-sixth session the item entitled "The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation" and to consider the situation in occupied Palestine under that item, as a matter of high priority.

27 April 1999
Adopted by a roll-call vote of 44 to 1, with 8 abstentions

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

IV. EUROPEAN UNION ISSUES STATEMENT ON THE MIDDLE EAST PEACE PROCESS

The Heads of State and Government of the European Union adopted the following statement on 25 March 1999 (A/54/76-S/1999/348):

Middle East peace process

The Heads of State and Government of the European Union reaffirm their support for a negotiated settlement in the Middle East, to reflect the principles of "land for peace" and ensure the security, both collective and individual, of the Israeli and Palestinian peoples. In this context, the European Union welcomes the decision by the Palestinian National Union and associated bodies to reaffirm the nullification of the provisions in the Palestinian National Charter which called for the destruction of Israel and to reaffirm their commitment to recognize and live in peace with Israel. However, the European Union remains concerned at the current deadlock in the peace process and calls upon the parties to implement fully and immediately the Wye River Memorandum.

The European Union also calls upon the parties to reaffirm their commitments to the basic principles established within the framework of Madrid, Oslo and subsequent agreements, in accordance with United Nations Security Council resolutions 242 (1967) and 338 (1973). It urges the parties to agree on an extension of the transitional period established by the Oslo agreements.

The European Union calls in particular for an early resumption of final status negotiations in the coming months on an accelerated basis, and for these to be brought to a prompt conclusion and not prolonged indefinitely. The European Union believes that it should be possible to conclude the negotiations within a target period of one year. It expresses its readiness to work to facilitate an early conclusion to the negotiations.

The European Union urges both parties to refrain from activities which prejudge the outcome of those final status negotiations and from any activity contrary to international law, including all settlement activity, and to fight incitement to hatred and violence.

The European Union reaffirms the continuing and unqualified Palestinian right to self-determination, including the option of a State, and looks forward to the early fulfilment of this right. It appeals to the parties to strive in good faith for a negotiated solution on the basis of the existing agreements, without prejudice to this right, which is not subject to any veto. The European Union is convinced that the creation of a democratic, viable and peaceful sovereign Palestinian State on the basis of existing agreements and through negotiations would be

the best guarantee of Israel's security and Israel's acceptance as an equal partner in the region. The European Union declares its readiness to consider the recognition of a Palestinian State in due course in accordance with the basic principles referred to above.

The European Union also calls for an early resumption of negotiations on the Syrian and Lebanese tracks of the Middle East peace process, leading to the implementation of United Nations Security Council resolutions 242 (1967), 338 (1973) and 425 (1978).